

# **EXHIBIT C**

**David Blacksberg**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Gaston, et al. v. The Islamic Republic of Iran</i>	18-cv-12337 (GBD)(SN) ECF Case

**DECLARATION OF DAVID BLACKSBERG**

I, David Blacksberg, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than eighteen (18) years of age and I have personal knowledge of and am competent to testify to the matters stated in this declaration.

2. I am a citizen of the United States today, as I was on September 11, 2001.

3. On September 11, 2001, I was present in New York City when the terrorist attacks on the World Trade Center (WTC) occurred.

4. I was an emergency medical technician with the New York City Fire Department (FDNY). On the morning of September 11, 2001, my partner and I were in our basic life support (BLS) ambulance at the base of the Brooklyn Bridge, just across the river from Manhattan, when we saw the first plane hit Tower I of the WTC. We immediately headed into Manhattan.

5. We arrived at the WTC within minutes of the first plane hitting the North Tower. We parked across the street from the North Tower and got out of our vehicle and went into the lobby to help evacuate the building. We heard loud rumbling noise and went outside to see the second plane strike the South Tower just above us.

6. We set up a staging and triage area across the street from the WTC. It was chaos. People were running in every direction trying to get away. People were running toward us. We

began treating people with lacerations and burns and directing others with less severe injuries to continue walking away from the buildings. There was a lot of debris coming down. There were bodies everywhere. We were watching people jumping from the buildings. We heard people screaming and the bodies landing.

7. As we were treating people and directing others away, we heard a noise coming from one of the buildings and saw it starting to come down. We all began to run. As we were running, I looked back and saw a cloud of smoke and debris, like an avalanche, tumbling right at us. It quickly overtook us. In the midst of the dust, smoke, and whatever else was in the cloud, there was no visibility so there was no way to know where we were going. We arrived at Battery Park where we found a couple of city buses parked. We directed people to get into the buses because the air inside would be better than it was outside. I made my way back to the WTC just prior to the collapse of the remaining tower. I was looking through the smoke and heard the people screaming. No one could breathe. The smoke, ash, dust, and debris were stuck in everyone's eyes, mouths, and throats. We continued to assist people.

8. My partner and I eventually went to the Staten Island Ferry Terminal where one of the staging areas was located with a makeshift hospital. There were not many people coming in to be treated, so we went back up to Ground Zero to help the firefighters and other first responders who were digging through the rubble looking for survivors.

9. On 9/11, I arrived minutes after the first plane hit the North Tower and remained at Ground Zero or in its environs for the next thirty-five hours. In the following months, from September 2001 until June 2002, I was at Ground Zero every week for three to five days. Most of my time was spent removing human remains and treating those working at the site who suffered injuries in the recovery effort.

10. In 2002, as the result of my experiences and exposure to dust, noxious fumes, and toxins on and after 9/11, I developed several medical problems that I had never had prior to that time. The symptoms I experienced were a persistent cough, chest tightness, nasal congestion, shortness of breath, wheezing, sore throat, acid reflux, and eye irritation. I was also suffering from the emotional trauma of what I had been through and what I had seen. The fire department encouraged us to enroll in the World Trade Center Health Program (WTCHP) so I began the medical monitoring program that year. Over the years I have been followed by the program, I have been certified for treatment for asthma, esophageal reflux, and incurable damage to the airways in my lungs, bronchiectasis. I have also struggled with post-traumatic stress disorder. In September 2007, I received a disability retirement from FDNY on the Fire Department Medical Board's recommendation based on the injuries I received due to my response to the catastrophe at the WTC.

11. After years of being monitored and treated by the WTCHP, I applied to the Victim Compensation Fund (VCF) for the injuries I suffered from my exposure to environmental toxins at Ground Zero. The VCF found that I was eligible for compensation based on the information it received for the following injuries: asthma, esophageal reflux, bronchiectasis, and related physical conditions certified by the WTCHP; unspecified disease of the respiratory system. A true and correct copy of the VCF eligibility determination letter documenting the physical injuries I suffered from the attacks on 9/11 is submitted with this declaration as part of this exhibit.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 26 day of July, 2025.

  
Declarant David Blacksberg



September 11th  
Victim Compensation Fund

November 18, 2013

DAVID BLACKSBERG

Dear David Blacksberg:

Your Eligibility Form for the September 11th Victim Compensation Fund (VCF) has been reviewed. You submitted an Eligibility Form for Personal Injury Claimants. Your claim number is VCF0009202. The Claims Evaluator determined that your Eligibility Form was substantially complete on November 18, 2013. As stated in the Regulations and on the Eligibility Form, by filing a substantially complete Eligibility Form, you have waived your right to file or be a party to a September 11th-related lawsuit.<sup>1</sup> For more information about this topic, please review Frequently Asked Questions (FAQ) 7.1-7.4 on <http://www.vcf.gov/faq.html>.

**The Decision on your Claim**

The VCF has determined that you meet the eligibility criteria established in the statute (the Zadroga Act and the original statute) and regulations and therefore the VCF will review your Compensation Form and supporting materials to determine the amount of any award. Based on the information you submitted and information the VCF has received from the World Trade Center Health Program (WTCHP), you have been found eligible for the following injuries:

- Asthma, Unspecified, Unspecified Status and related physical conditions certified by the WTCHP: Unspecified Disease of Respiratory System
- Asthma, Unspecified, Unspecified Status and related physical conditions certified by the WTCHP: Other Diseases of Lung Not Elsewhere Classified
- Bronchiectasis and related physical conditions certified by the WTCHP: Other Diseases of Lung Not Elsewhere Classified
- Bronchiectasis and related physical conditions certified by the WTCHP: Unspecified Disease of Respiratory System
- Esophageal Reflux

Please note that there are several reasons why an injury that you think should be eligible is not listed above. First, for non-traumatic injuries, the description of the injury is based on the information provided by the WTCHP and there can be several alternative descriptions for the same injury. Additionally, a WTCHP physician may have provided testing or treatment for an injury even

<sup>1</sup> The Statute (the Air Transportation Safety and System Stabilization Act as amended by the Zadroga Act) and the Regulations are located at <http://www.vcf.gov/lawRulesOtherDocs.html>.



September 11th  
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if the WTCHP has not certified that injury for treatment. Finally, your injury may not be listed if it was only recently certified for treatment by the WTCHP. The VCF regularly receives updated information from the WTCHP and will notify you if additional injuries have become eligible.

#### **What Happens Next**

The VCF will determine your compensation award based solely on the eligible injuries listed above. In order for the VCF to do so, you must submit the Compensation Form for Personal Injury Claimants and the required supporting documents. If you have not already done so, please submit the Compensation Form and the required supporting documents as soon as possible. You are encouraged to submit the Compensation Form through the VCF's web-based claim system at [www.vcf.gov](http://www.vcf.gov). If you wish to complete the Compensation Form in hardcopy, you may request the form by contacting the toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-353-0356.

In addition to the Compensation Form, please also complete and submit the VCF ACH Payment Information Form. This form can be found on our website in Section 8 of the Frequently Asked Questions (FAQs). The completed form must be submitted before the VCF can arrange for any payment.

The VCF will be able to determine your compensation award based on the eligible conditions after all compensation related documents are submitted. When you receive an award letter, you will have the right to appeal. In that appeal, you have the right to assert additional injuries that you believe are eligible and for which you believe you should be compensated. For purposes of the statutory deadlines, the injuries listed in your claim form and the injuries certified as eligible will be deemed "filed". You will receive instructions on the appeal process when you receive the letter with details of your compensation award.

If you have questions about the information in this letter or the claims process in general, please contact our toll-free Helpline at the number noted above. Every effort will be made to respond to your inquiries as soon as possible.

Sincerely,

September 11th Victim Compensation Fund

CC: David Blacksberg